

IN THE UNITED STATES DISTRICT COURT  
FOR THE EASTERN DISTRICT OF TEXAS  
SHERMAN DIVISION

DANIEL MARTINEZ, #51368-379

VS.

UNITED STATES OF AMERICA

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§  
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§

CIVIL ACTION NO.4:16cv356  
CRIMINAL ACTION NO. 4:11cr89(12)

**ORDER OF DISMISSAL**

The above-entitled and numbered civil action was referred to United States Magistrate Judge Christine A. Nowak. The Report and Recommendation of the Magistrate Judge, which contains proposed findings of fact and recommendations for the disposition of such action, has been presented for consideration. No objections were filed. The Court concludes that the findings and conclusions of the Magistrate Judge are correct, and adopts the same as the findings and conclusions of the Court. It is therefore

**ORDERED** that the motion to vacate, set aside or correct sentence is **DENIED** and the case is **DISMISSED** with prejudice. All motions by either party not previously ruled on are hereby **DENIED**.

**SIGNED this 9th day of December, 2016.**

  
AMOS L. MAZZANT  
UNITED STATES DISTRICT JUDGE